

Louisville - Southern Indiana Ohio River Bridges Project
Progress Report Number 3
July 1, 2004 through December 31, 2004
Implementation of the Section 106 Memorandum of Agreement

The Section 106 Memorandum of Agreement (MOA)¹ for the Louisville – Southern Indiana Ohio River Bridges Project (Bridges Project) was executed on April 1, 2003. Attachment A provides a list of the signatories to the MOA and concurring parties. Included in the MOA was a stipulation providing for the preparation of a Progress Report (Stipulation IX). The following is the Third Progress Report for the July 1, 2004 through December 31, 2004 reporting period (Reporting Period).

There was a limited amount of activity on implementation of mitigation measures during the Reporting Period. The Indiana Department of Transportation (INDOT) and Kentucky Transportation Cabinet (KYTC) continued their work to procure the services of consultants to assist them in development of project details. All six Section Design Consultants have been selected and work to finalize the scopes of work and contracts for these consultants is underway. This will be discussed in more detail in Part I of this report.

Activity during the Reporting Period on implementation of mitigation measures in the MOA was generally limited to planning and convening meetings of the Indiana Historic Preservation Advisory Team and Kentucky Historic Preservation Advisory Team provided for in Stipulation I.A. and coordinating the initial preparations for the Historic Preservation Plans provided for in Stipulation II.F. This will be described in more detail in a later section of the report.

PART I – OVERALL PROJECT STATUS

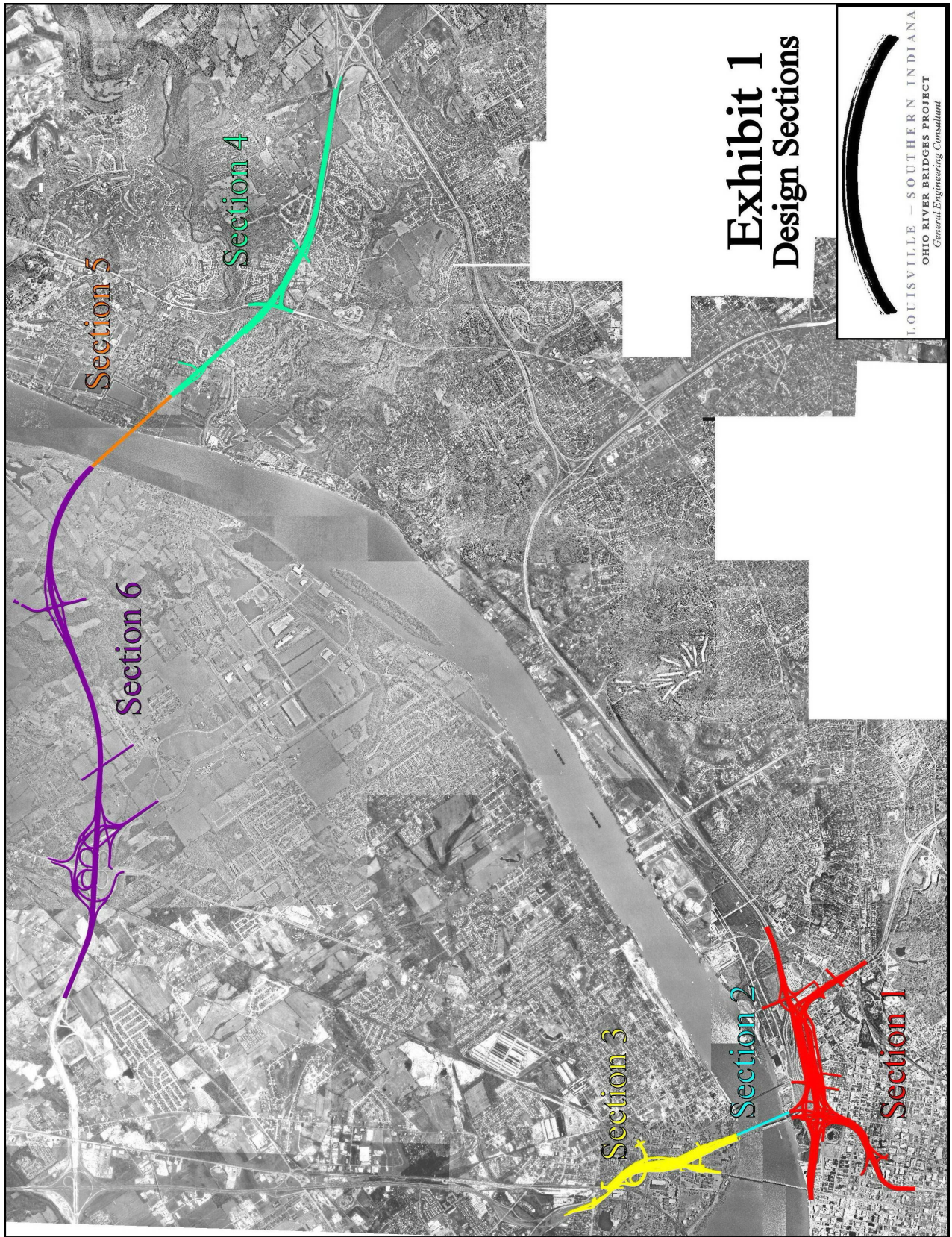
INDOT and KYTC continued work on procuring the services of design consultants for the six (6) sections (see Exhibit 1) during the Reporting Period, to develop right of way and construction plans. A description of each section and the progress on selection of each Section Design Consultant (SDC) is provided in the following summary.

Section 1 Kentucky Downtown Approach (including Kennedy Interchange) – KYTC and the GEC worked with the firm of Kentucky Transportation Associates (KTA) on the development and approval of a prime contract for this section of the Bridges Project. KTA is currently working under an advanced contract, which has allowed them to initiate their public involvement process and preliminary engineering.

Section 2 Downtown Bridge (using Alternative C-1) – KYTC in cooperation with INDOT, announced on October 29, 2004 that the Design Team led by Michael Baker was selected through the KYTC Qualifications Based Selection process. KYTC is currently in the process of developing a start up contract with the consultant.

¹ A copy of the Section 106 MOA can be obtained from the Project Website by selecting the History link beneath the Project tab and downloading the Record of Decision (ROD). A direct link to the page is provided, below.

– www.kyinbridges.com/Project.aspx?cGuid=ab53eaf-1ad1-4294-bf10-c9523999b7c5



Section 3 Indiana Downtown Approach – INDOT in cooperation with KYTC announced on July 29, 2004 that the Butler Fairman and Seufert (BFS) Design Team, which is also comprised of USI Consultants, First Group Engineering and Jansen and Spaans, was selected through a Professional Services Bulletin (PSB). INDOT and the GEC are working with the consultant on developing a scope of work.

Section 4 Kentucky East End Approach – KYTC and the GEC is working with the firm of H. W. Lochner (HWL) on the development of a prime contract for this section of the Bridges Project. HWL is currently working under an advanced contract, which has allowed them to initiate their public involvement process and preliminary engineering.

Section 5 East End Bridge (using Alternative A-15) – KYTC in cooperation with INDOT, announced on November 12, 2004 that the firm of Parsons Brinkerhoff Quade & Douglas, Inc. was selected through the KYTC Qualifications Based Selection process. KYTC is currently in the process of developing a start up contract with the consultant.

Section 6 Indiana East End Approach – INDOT in cooperation with KYTC announced on July 29, 2004 that Indiana Approach Partners (IAP), which is comprised of Burgess & Niple Inc., American Consulting Engineers and Michael Baker Engineers, was selected through a PSB. INDOT and the GEC are working with the consultant on developing a scope of work.

Community Transportation Solutions (CTS-GEC) under the management of Mr. Richard Cary-Brown, worked during this Reporting Period with the Bi-State Management Team (BSMT), which consists of representatives from INDOT, KYTC and FHWA, in the development of a Project Management Plan, project schedule and oversight requirements of the six SDCs to be placed under contract by either INDOT or KYTC. Work also continued on the planning for implementation of mitigation commitments.

PART II – IMPLEMENTATION OF MITIGATION MEASURES CONTAINED IN THE MOA

Measures to mitigate adverse effects of the Project on historic properties are described in the MOA along with a number of activities to guide the development of project plans and provide for coordination of those activities through an advisory team for the Indiana portion of the project and one for the Kentucky portion of the project.

The MOA is divided into the following fourteen (14) stipulations:

- I. Project Coordination
- II. Project Development
- III. Site Specific Mitigation
- IV. Archaeological Resources
- V. Unanticipated Discoveries
- VI. Additional Historic Properties and Effects

- VII. Excess Right of Way
- VIII. Performance Standards
- IX. Progress Reports
- X. Project Modification
- XI. Amendment
- XII. Failure to Comply/Termination
- XIII. Dispute Resolution
- XIV. Duration

An expanded version of this listing is included as Attachment B, to serve as an outline in the preparation of Progress Reports. Activities during the Reporting Period are described in the following information.

STIPULATION I: Project Coordination

Stipulations I.A.1, I.A.4, I.A.5, and I.A.8 were implemented during the First Reporting Period. John Carr (representing the IN-SHPO) and Mary (Crowe) Kennedy (representing INDOT) continued as Co-chairs of the IHPAT and David Morgan (representing the KY-SHPO) and William Gulick (representing KYTC) continued as Co-chairs of the KHPAT.

Stipulation I.A.2 provides for the Advisory Teams to assist the Bi-State Historic Consultation Team (BSHCT) and the BSMT in developing Project design details to implement the measures stipulated in the MOA. Initial work continued during the Reporting Period on this stipulation.

Stipulation I.A.3 provides for the Co-chairs to convene additional meetings of the HPATs. Three IHPAT meetings were convened by the Co-chairs on July 14, 2004, September 15, 2004 and October 27, 2004. Likewise, three KHPAT meetings were convened by the Co-chairs on July 15, 2004, September 14, 2004 and October 28, 2004.

Stipulation I.A.6 describes the discretionary authority of the Co-chairs to invite additional parties to participate on the Advisory Teams. No additional requests for membership were received by the IHPAT or KHPAT during the Reporting Period.

Stipulation I.A.7 provides for the ACHP to participate as it sees fit on an ad-hoc basis.

Stipulation I.A.9 provides for the convening of additional meetings of the HPATs by the Co-chairs to review plans, comment, and make specific recommendations regarding Project design scopes of work and details for consideration by the BSHCT. Stipulations I.A.9.a and I.A.9.b describe meetings prior to development of scopes of work and prior to the selection of contractors for the Historic Preservation Plans (HPPs) and Treatment Plans under Stipulation III. The latter was satisfied at HPAT meetings held during the Second Reporting Period. Once the scope of work for the Treatment Plans are developed for the properties identified in the MOA, the respective HPATs will be advised accordingly per this stipulation. Stipulation 1.A.9.c requires meetings prior to the development of the scope of work for the design consultants' respective sections of the Project. This stipulation was partially satisfied during this Reporting Period. At the September 14, 2004 KHPAT, the design consultants for Section 1 (KTA) and Section 4 (HWL) presented an overview of the scope of work for their respective sections. At the October 27, 2004 IHPAT, the design consultants for Section 3 (BFS) and Section 6 (IAP)

presented an overview of the scope of work for their respective sections. The design consultants for Sections 2 and 5 will present an overview of their scope of work to the IHPAT and KHPAT at a future meeting, which is expected to occur during the next Reporting Period.

Stipulation I.A.10 provides for the distribution of materials needed for review by the advisory teams and comments following scheduled meetings. Materials for the meetings held during the Reporting Period were generally limited to information on the preparation of HPPs, SDCs scope of work, and the public involvement process. Presentations and requests for input during the meetings were supplemented by a comment period following the meetings to obtain input into the HPP preparation process.

Stipulation I.A.11 provides for the development of recommendations by the Co-chairs based on comments provided by the advisory team, for consideration and action by the BSHCT.

Stipulation I.B. provides for a BSHCT consisting of representatives of FHWA, INDOT, KYTC and the respective SHPOs. The following were identified as representatives on the BSHCT at the close of the Reporting Period:

FHWA	George Jones
INDOT	Mary Kennedy
KYTC	Bill Gulick
SHPO	John Carr – for Indiana SHPO
	David Morgan – Kentucky SHPO

The BSHCT held three meetings during the Reporting Period.

Stipulation I.C. provides for a BSMT consisting of representatives of INDOT, KYTC and FHWA. The following were identified as representatives on the BSMT:

INDOT	Edward Cox
KYTC	Bill Gulick / Bart Bryant
FHWA	George Jones

No meeting of the BSMT was held during the Reporting Period for items associated with implementation of mitigation measures identified in the MOA or in response to recommendations of the BSHCT.

Stipulation I. D. provides for an Ombudsman for the Indiana portion of the Bridges Project and one for the Kentucky portion of the Bridges Project. During the Reporting Period work continued on identifying potential candidates for the Indiana Ombudsman position. However, Mr. Lee Walker was selected by KYTC as the Kentucky Ombudsman. Mr. Walker began work on November 1, 2004.

STIPULATION II: Project Development

Work initiated on implementation of mitigation measures identified in Section II of the MOA during the Reporting Period was generally limited to Stipulations II.A. II.B., II.C., II.F., and

II.P.3. The major effort on measures identified in this section is expected to occur once all six SDCs are under contract and have work underway.

Stipulation II.A. describes the design goal of the Project, which was used in the preparation of the Project Management Plan to guide the development of project details.

Stipulation II.B. provides that the views of the public are important and will be solicited and considered at a minimum through each state's normal transportation project development process through informal meetings to be convened by the respective State Transportation Agencies (STA). During the Reporting Period Area Advisory Teams (AAT) and Regional Advisory Committee (RAC) were organized. The AAT kickoff meetings were convened for Section 1 on November 18, 2004; Section 3 on December 7, 2004; Section 4 on December 2, 2004; and Section 6 on November 30, 2004. The RAC kickoff meeting was held on December 9, 2004.

Stipulation II.C. provides that the roadways, bridges and other Project elements shall be designed and constructed with sensitivity to aesthetic values, historic cultural landscapes, and the historic context, utilizing services of professionals with experience in areas related to historic preservation. During the Reporting Period, orientation was initiated with SDC 1, 3, 4 and 6 regarding the MOA and Final Environmental Impact Statement (FEIS) commitments.

Stipulation II.F. describes the actions for preparation of HPPs. The seven historic properties for which HPPs are to be developed were identified in Stipulation II.F.2 (a through g). **Stipulation II.F.1.a** provides for development of scopes of work for the HPPs in consultation with the HPATs. This stipulation was fulfilled during the Second Reporting Period. During this Reporting Period work was initiated on the HPPs with respect to all the provisions of Stipulation II.F. Specifically, this work entailed initiation of identifying the immediate needs for each plan. Schedules for completing the Immediate Needs Report for Butchertown, Phoenix Hill and the Country Estates/River Road Corridor were established. The Immediate Needs Report is a component of the HPP that will assist the SDCs in identifying aspects of historic preservation that will require implementation early in the design process.

Stipulation II.P. describes the preparation of materials for public education and interpretation. Stipulation II.P.3 provides for the preparation of an exhibit for display in the museum to be established at the Trolley Barn. This stipulation further provides that KYTC will make every effort to have the exhibit completed so that it can be presented during the National Trust for Historic Preservation Annual Conference to be held in Louisville, Kentucky in 2004. In accordance with this stipulation, an intermediate display on the federal regulatory process as it pertains to Section 106 of the National Historic Preservation Act and Section 4(f) of the US Department of Transportation (USDOT) Act and the Project was presented at the National Preservation Conference on September 30, 2004. This presentation allowed conference attendees the opportunity to comment on the content, which will aid in the development of the permanent exhibit to be housed at the Trolley Barn.

STIPULATION III: Site Specific Mitigation

Work continued on the implementation of mitigation measures identified in Section III of the MOA during the Reporting Period and was generally limited to evaluations of work that would need to be addressed in the HPPs and Stipulations III.A., III.I.9, III.J., III.K.8, and III.K.11. In

addition, the owners of the properties designated for site specific mitigation in Stipulation III were identified and letters were mailed to them detailing the specific mitigation that pertains to their property. The major effort on measures identified in this section is expected to occur once all six SDCs are under contract and have work underway.

Stipulation III.A. provides for mitigation of project impacts on the Train Depot. Discussions continued during the Reporting Period about the acquisition of this property in accordance with Stipulation III.A.2.

Stipulation III.I.9 provides for the possible use of that portion of the James Smith Farm (#45024) determined eligible for the National Register of Historic Places (Historic Property) as a mitigation measure of project impacts on the Swartz Farm Rural Historic District, contingent upon donation of the property to INDOT by the property owner. No decision was made during the Reporting Period on a possible change in the measures provided for in Stipulation III.I.9 due to a house fire. During the Reporting Period contact was made with the owners a second time to inquire about their interest in donating the property to INDOT; they have not yet indicated a decision on this matter.

Stipulation III.J. provides that KYTC will ensure any rehabilitation of the Trolley Barn, associated with the Project is done in accordance with the Secretary's *Standards for Rehabilitation*. This stipulation was included in the MOA as KYTC included funds for the continued rehabilitation of the Trolley Barn. Discussions were continued during the Reporting Period on the funding of this work.

Stipulation III.K.8 provides for site specific mitigation for the Marcus Lindsay Methodist Church. During the Reporting Period this property was listed for sale. Discussions were initiated on the possible change in the mitigation measures set forth in the MOA. These discussions will continue once the property is purchased and the future use of the building is determined.

Stipulation III.K.11 provides for a study of the Mellwood Avenue – Story Avenue Connector to evaluate the elimination of this proposed connector and restoration of two-way traffic flow on Mellwood Avenue and Story Avenue. KTA initiated this work during the Reporting Period.

STIPULATION IV: Archaeological Resources

The final identification, evaluation and determination of Project effect for archaeological resources were phased because alternatives consisted of large corridors where access was restricted. Limited work was undertaken on archaeological resources during the Reporting Period. This work included continuation of planning for the work required within each portion of the Project and the preliminary metal detection and mapping of an approximate 1-acre area within Colston Park in Jeffersonville, Indiana. The intent of this initial investigation at Colston Park was to determine the feasibility of further subsurface imaging using noninvasive electromagnetic means to identify a probable Civil War cemetery adjacent to the Project limits. The results of the remote sensing investigation were submitted to Dr. Rick Jones, State Archaeologist, of the IN SHPO on December 16, 2004 for his review and comment prior to further investigations.

STIPULATION V: Unanticipated Discoveries

No previously unidentified property was discovered during the Reporting Period nor was a previously identified historic property affected in an unanticipated manner.

STIPULATION VI: Additional Historic Properties and Effects

Work on the development of plan details was not initiated during the Reporting Period; therefore no sites for staging, wetland mitigation, borrow or waste, dredge disposal, or other construction activities were identified during the Reporting Period.

STIPULATION VII: Excess Right of Way

Work on development of plan details and identification of the right of way required for construction and operation of the Project was not completed during the Reporting Period; therefore no excess right of way was identified during the Reporting Period.

STIPULATION VIII: Performance Standards

Individuals are being selected for work required in implementing this MOA who meet the Secretary of the Interior's Professional Qualification Standards. Work will be completed in accordance with appropriate federal and state standards and guidelines.

STIPULATION IX: Progress Reports

Progress Report Number 3 for the Reporting Period (July 1, 2004 through December 31, 2004) is provided in accordance with Stipulation IX.

STIPULATION X: Project Modification

No actions occurred during the Reporting Period causing the need for a modification to the MOA.

STIPULATION XI: Amendment

No signatory to the MOA requested an amendment during the Reporting Period.

STIPULATION XII: Failure to Comply/Termination

No signatories to the MOA identified any concerns during the Reporting Period that the terms of the MOA cannot be or are not being carried out.

STIPULATION XIII: Dispute Resolution

No written objection from any of the signatories or concurring parties to this MOA was filed during the Reporting Period.

STIPULATION XIV: Duration

The MOA is in effect through April 1, 2023.

PART III – PROJECT MILESTONES

Coordination with the HPATs in the development of plan details to implement mitigation measures was identified in the MOA at a number of project milestones, including:

Preliminary Plans (about 30%),
Right of Way Plans (about 60%), and
Final Plans (about 90%).

During the Reporting Period, CTS-GEC continued work on the overall Project Management Plan, including a schedule for the likely activities to be included in the Project. This schedule will be developed in more detail once all six of the SDCs have been put under contract and information will be provided to the HPATs and also disseminated to a much broader audience.

ATTACHMENT A

SIGNATORIES:

Federal Highway Administration

Advisory Council on Historic Preservation

Indiana State Historic Preservation Officer

Kentucky State Historic Preservation Officer

INVITED SIGNATORIES:

Indiana Department of Transportation

Kentucky Transportation Cabinet

CONCURRING PARTIES:

American Indian Movement – Mobile Chapter (MO-AIM)

Butchertown Neighborhood Association

City of Prospect

The Eastern Band of Cherokee Indians

The Eastern Shawnee Tribe of Oklahoma

The Delaware Nation

ATTACHMENT B

SECTION 106 MEMORANDUM OF AGREEMENT OUTLINE OF DOCUMENT CONTENT

- I. Project Coordination
 - A. Advisory Teams
 - B. Bi-State Historic Consultation Team
 - C. Bi-State Management Team
 - D. Ombudsmen
- II. Project Development
 - A. Project Goals
 - B. Public Involvement
 - C. Context Sensitive Solutions
 - D. Roadway Lighting
 - E. Noise Abatement
 - F. Historic Preservation Plans
 - G. Survey Updates
 - H. Historic Preservation Easements
 - I. National Register Documentation and Nomination
 - J. Streetscape Improvements
 - K. Interpretative Signage
 - L. Blasting and Vibration
 - M. Timing of Construction Activities
 - N. No-Work Zones
 - O. Smart Growth Conference
 - P. Education and Interpretation
- III. Site Specific Mitigation
 - A. Train Depot – Indiana
 - B. Colgate-Palmolive Historic District
 - C. Ohio Falls and Locomotive Historic District
 - D. George Rogers Clark Memorial Bridge
 - E. Old Jeffersonville Historic District
 - F. INAAP Igloo Storage Historic District
 - G. Lentz Cemetery
 - H. Lime Kilns within the Utica Lime Industry Multiple Property Listing
 - I. Swartz Farm Rural Historic District
 - J. Trolley Barn
 - K. Butchertown Historic District
 - L. Phoenix Hill Historic District
 - M. Country Estates Historic District/River Road Corridor
 - N. Drumanard
 - O. Allison-Barrickman House
 - P. Rosewell
 - Q. Belleview
- IV. Archaeological Resources

- A. Implementation Standards
- B. Identification
- C. Evaluation
- D. Assessment of Effects
- E. Treatment
- F. Qualifications and Reporting
- G. Distribution of Final Reports
- V. Unanticipated Discoveries
- VI. Additional Historic Properties and Effects
- VII. Excess Right of Way
- VIII. Performance Standards
- IX. Progress Reports
- X. Project Modification
- XI. Amendment
- XII. Failure to Comply/Termination
- XIII. Dispute Resolution
- XIV. Duration

ATTACHMENT C
MOA COMMITMENT TRACKING TABLE

STIPULATION NO. 1									
Commit. Fulfilled?	Item	GEC Taskmaster	Subconsultant Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
X	A.1	CTS	NR	NR	Convene IHPAT and KHPAT	December 31, 2003	IHPAT - December 16, 2003 KHPAT - December 17, 2003		None
X	A.9.a	CTS	R	NR	Convene HPATs prior to development of scopes of work for the HPPs	None Established		Presentation to HPATs	Draft HPP scopes of work presented at the 5/19/04 IHPAT and 5/20/04 KHPAT Final HPP scopes of work presented at the 7/14/04 IHPAT and 7/15/04 KHPAT
	A.9.b	NR	NR	NR	Convene HPATs prior to selection of contractors for preparation of HPPs and Treatment Plans	None Established			CTS-GEC was selected as the contractor to prepare the HPPs at the 7/14/04 IHPAT and 7/15/04 KHPAT
	A.9.c	CTS	NR	All	Convene HPATs prior to development of scopes of work for the section design consultants	None Established		Presentation to HPATs	KTA (SDC 1) and HWL (SDC 4) presented scopes of work at 9/14/04 KHPAT BFS (SDC 3) and IAP (SDC 6) presented scopes of work at 10/27/04 IHPAT
	B	CTS	NR	NR	Bi-State Historic Consultation Team advises the Bi-State Management Team as to appropriate design and construction approaches; Bi-State Historic Consultation Team convene to consider recommendations provided by the Advisory Teams and prepare recommendations for the Bi-State Management Team; Bi-State Historic Consultation Team gives full consideration to recommendations of Advisory Teams	Project-Wide			Ongoing
	C	CTS	NR	NR	Bi-State Management Team ensures choice of professional consultant; preparation of progress reports; Bi-State Management Team gives full consideration to recommendations of Bi-State Historic Consultation Team	None Established			Ongoing
	D	CTS	NR	NR	Procure services of two ombudsmen (one for Indiana and one for Kentucky)	None Established		To be retained for the duration of the project.	KY Ombudsman - Mr. Lee Walker was selected and began work on 11/1/04 IN Ombudsman - INDOT evaluating candidates.

KEY:

CTS - CTS-GEC
GP - Gray and Pape

R - Ratio Architects
NR - Not Required

A - ASC Group

STIPULATION NO. 2									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	A	CTS	R, A, GP	All	Project goal is to avoid adverse effects				
	B	CTS	R, A, GP	All	Informational meetings convened by respective STAs for public views	None established			
	C	CTS	R, A, GP	All	Context sensitive solutions considered	None established			
	D	CTS	R, A, GP	All	Roadway lighting designed and constructed to minimize dispersion of light beyond highway right-of-way and include state-of-the-art techniques and systems	None established			
	E	CTS	R, A, GP	All	Project design shall minimize adverse noise effects	None established			
	F	CTS	R, A, GP	NR	HPPs prepared for historic properties and districts	Prior to Preliminary Field Check Plans		HPP	
	F-1	CTS	R, A, GP		Follow provisions for HPPs	None established			
	F-2	CTS	R, A, GP	NR	Develop HPPs for the identified seven historic properties	Prior to Preliminary Field Check Plans		HPP	
	G	CTS	R, A, GP	NR	Update historic preservation documents	Within five years following ROD		Revised Clark County Iterim Report and Jefferson County Inventory	Only for Resources Identified by Project
	H	CTS	R, A, GP	NR	Acquisition of preservation easements	None established			
	I	CTS	R, A, GP	NR	Preparation of NRHP documentation and nomination of properties	Within first three years following the ROD			
	J	CTS	R, A, GP	All	Obtain right-of-way title holder approval for streetscape improvements	Prior to use			
	K	CTS	R, A, GP	All	Obtain right-of-way title holder approval for interpretive signage placement; coordinate interpretive signage	Prior to use			
	L-1	CTS	R, A, GP	All	Ensure construction blasting/vibration plans and bridge pier construction plans are developed	Prior to construction			
	L-3	CTS	R, A, GP	NR	Determine if damage has occurred	After blasting occurs			
	L-4	CTS	R, A, GP	NR	Coordinate damage repair	Prior to entry			
	L-5	CTS	R, A, GP	All	Obtain consent for entry of privately owned property to access monitoring equipment or damage repair	Prior to entry			
	M	CTS	R, A, GP	All	Develop timing of construction activities provisions	None established			
	N	CTS	R, A, GP	All	No-work Zone established on construction plans	None established			
	O	CTS	R, A, GP	NR	Smart Growth Conference	September 2006			To be held 3 years after issuance of ROD
	P-2	CTS	R, A, GP	NR	Draft Popular Report	None Established			
		CTS	R, A, GP	NR	Final Popular Report	None Established			
	P-3	CTS	R, GP	NR	Trolley Barn Exhibit	None Established			Draft exhibit displayed at the National Trust for Historic Preservation Annual Conference held in September/October 2004. Location being sought for display until final exhibit is prepared.

KEY:
CTS - CTS-GEC R - Ratio Architects A - ASC Group
GP - Gray and Pape NR - Not Required

STIPULATION NO. 3

A - TRAIN DEPOT

Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, A	BFS	Streetscape improvements				Acquisition discussions initiated
	2	CTS	R, A	BFS	Acquire Train Depot Building; rehabilitate the property; place a preservation easement on the property and then sell is to a preservation organization or donate to a local government				
	3	CTS	R, A	BFS	Implement alternative mitigation measures if unable to acquire the property				
	4	CTS	R, A	NR	Document and seek NRHP nomination	September 2006			Within first three years following the ROD
	5	CTS	R, A	BFS	Develop and place interpretative signage				

B - COLGATE - PALMOLIVE HISTORIC DISTRICT

Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, A	NR	Document and seek NRHP nomination	September 2006			Within first three years following the ROD
	2	CTS	R, A	BFS	Develop and place interpretative signage				

C - OHIO FALLS CAR AND LOCOMOTIVE COMPANY HISTORIC DISTRICT

Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, A	NR	Document and seek NRHP nomination	September 2006			Within first three years following the ROD
	2	CTS	R, A	BFS	Develop and place interpretative signage				
	3	CTS	R, A	BFS	Develop and implement a blasting/vibration plan	Complete prior to initiation of construction			

D - GEORGE ROGERS CLARK MEMORIAL BRIDGE

Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, A	BFS	Avoid displacement of the historic bridge pylons on the IN approach to the bridge				
	2	CTS	R, A	NR	If displacement cannot be avoided, develop and implement a Treatment Plan				
	3	CTS	R, A	BFS	Relocate pylons in a way to ensure protection of the NRHP designation				

E - OLD JEFFERSONVILLE HISTORIC DISTRICT									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, A	NR	Develop a HPP	Prior to Preliminary Field Check Plans			HPP Scope of Work developed
	2	CTS	R, A	NR	Present HPP to the City of Jeffersonville for potential use as a component of the City's Comprehensive Plan				
	3	CTS	R, A	BFS	Design and construct streetscape improvements within the HD between Spring Street and the Project				
	4	CTS	R, A	BFS	Design and construct pedestrian friendly facilities within IN ROW under the new bridge and existing I-65 bridge				
	5	CTS	R, A	BFS	Minimize spacing between the existing bridge and the proposed downtown bridge consistent with prudent engineering principles				
	6	CTS	R, A	BFS	Develop and implement highway signage plan that minimizes the number of overhead directional signs on the approaches				
	7	CTS	R, A	BFS	Relocate five contributing structures that would otherwise be demolished on vacant lots within HD; purchase vacant lots within the HD and put structures on the lots and then sell them; place a preservation easement on the relocated structures; the purchaser of the structures need to occupy them for 5 years and maintain the property in accordance with the preservation standards acceptable to the IN-SHPO	During the Acquisition Phase			
	8	CTS	R, A	NR	Prepare and implement a marketing plan to market above mentioned building's for relocation by others, if unable to obtain them; plan shall include information on the properties; implement plan for a minimum of 6 months; INDOT shall review all offers with the INSHPO prior to acceptance				
	9	CTS	R, A	NR	If no acceptable offer, donate property to a local government				
	10	CTS	R, A	BFS	Design and construct roadway lighting in the viewshed of HD				
	11	CTS	R, A	BFS	Implement noise abatement measures				
	12	CTS	R, A	BFS	Timing of construction activities shall be scheduled to limit construction activities which may result in additional impacts to the HD				
	13	CTS	R, A	BFS	Develop and implement a blasting/vibration plan	Complete prior to initiation of construction			

F - INAAP IGLOO STORAGE HISTORIC DISTRICT									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, A	IAP	Develop and implement a blasting/vibration plan	Complete prior to initiation of construction			

G - LENTZ CEMETERY									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, A	IAP	Develop and implement a blasting/vibration plan	Complete prior to initiation of construction			
	2	CTS	R, A	IAP	Design the section of roadway adjacent to the cemetery to minimize noise to the property and complement with landscaping within the public ROW				

H - LIME KILNS WITHIN THE UTICA LIME INDUSTRY MULTIPLE PROPERTY LISTING									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, A	NR	Develop a HPP to include a Context Study focusing on the lime industry; develop and publish a pamphlet for public distribution presenting the results of the lime industry study	Prior to Preliminary Field Check Plans			HPP Scope of Work developed
	2	CTS	R, A	NR	Prepare a condition report of the resources which includes photographs	Prior to initiating construction activities within 1,000 feet of the lime kilns			
	3	CTS	R, A	IAP	Develop and implement a blasting/vibration plan	Complete prior to initiation of construction			
	4	CTS	R, A	IAP	Delineate a "no-work zone" around the three lime kilns which is to extend 100 feet from the kilns				
	5	CTS	R, A	NR	Repair any damage caused by the Project to the lime kilns				
	6	CTS	R, A	NR	Acquire Lime Kiln IE-HC-48004; place a preservation easement on the property and sell it to a preservation organization or donate it to a local government				
	7	CTS	R, A	IAP	Develop and design an interpretive marker along Utica Pike				
	8	CTS	R, A	NR	Document and seek NRHP nomination	September 2006			Within first three years following the ROD

I - SWARTZ FARM RURAL HISTORIC DISTRICT									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, A	NR	Develop thematic context study for agriculture in Clark County, Indiana and surrounding counties				HPP Scope of Work developed
	2	CTS	R, A	NR	Purchase the portion of Swartz Farm lying on the west side of the Project				
	3	CTS	R, A	IAP	Develop and implement a blasting/vibration plan	Complete prior to initiation of construction			
	4	CTS	R, A	NR	Document and seek NRHP nomination of the remaining farmstead	September 2006			Within first three years following the ROD
	5	CTS	R, A	IAP	Delineate a "no-work zone" around remaining Swartz farmstead				
	6	CTS	R, A	IAP	Place a preservation easement on property and sell to a historic preservation organization or donate to a local government or it can be sold to anyone who would accept the preservation easement				
	7	CTS	R, A	NR	Prepare archival documentation for Central Passage House	Prior to the Central Passage House demolition			
	8	CTS	R, A	IAP	Develop and implement a landscaping plan				
	9	CTS	R, A	NR	Accept by donation and preserve the portion of the James Smith Farm that was determined eligible for the NRHP; develop and implement a plan to stabilize the property; place a preservation easement on property and sell to a historic preservation organization or donate to a local government; prior to sale or donation, fund exterior rehabilitation of the structure; develop HPP; document and see NRHP nomination and listing				-The IN-SHPO determined the James Smith was no longer eligible under criterion A or C, but remains eligible under criterion D. HPP -HPP Scope of Work developed. -Coordination with the property owner has been ongoing regarding the donation of the property to INDOT. Property must be donated, per MOA, for HPP to be developed and preservation easement to be placed.

J - TROLLEY BARN									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, GP	Q	Rehabilitation shall be developed and implemented in consultation with the KY-SHPO				

K - BUTCHERTOWN HISTORIC DISTRICT									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, GP	Q	Develop a HPP, which shall develop a thematic context to assist with future nominations in the region	Prior to Preliminary Field Check Plans			-HPP Scope of Work developed. -Development of Immediate Needs initiated. -HPP public kickoff meeting convened on 11/16/04.
	2	CTS	R, GP	Q	Develop the Witherspoon Extension as the principal east-west route through the HD and implement measures that encourage north-south traffic through the HD to use Clay Street and Frankfort Avenue				
	3	CTS	R, GP	Q	Design and construct roadway sections along north side of Butchertown HD using embankments or other designs that support aesthetically pleasing noise abatement measures, lighting and landscaping that maintain the context of the HD				
	4	CTS	R, GP	Q	Edison House - Provide funding for rehabilitation of the exterior of the Edison House and conduct a noise study to determine whether interior noise abatement measures are justified	During development of detailed plans			
	5	CTS	R, GP	Q	Wesley House - Provide funding for rehabilitation of the exterior of the Wesley House and conduct a noise study to determine whether interior noise abatement measures are justified	During development of detailed plans			
	6	CTS	R, GP	Q	St. Joseph's Church - Conduct a noise study for St. Joseph's Church to determine whether interior noise abatement measures are justified for the Church, Day Care Center and School	During development of detailed plans			
	7	CTS	R, GP	Q	Franklin Street Baptist Church - Conduct a noise study for Franklin Street Baptist Church to determine whether interior noise abatement measures are justified	During development of detailed plans			
	8	CTS	R, GP	Q	Marcus Lindsay Methodist Church - Conduct a noise study for Marcus Lindsay Methodist Church to determine whether interior noise abatement measures are justified	During development of detailed plans			Church is presently for sale
	9	CTS	R, GP	Q	Grace Immanuel united Church of Christ - Conduct a noise study for Grace Immanuel United Church of Christ to determine whether interior noise abatement measures are justified	During development of detailed plans			
	10	CTS	R, GP	Q	Grocers Ice and Cold Storage Company - Provide a plan for adaptive reuse the property; if plan cannot be developed, develop documentation of the property and proceed to demolish the structure once the documentation has been accepted				
	11	CTS	R, GP	Q	Mellwood Avenue/Story Avenue Connection - Conduct a study of the Connector in order to evaluate the elimination of this proposed connector and restoration of two-way traffic flow on these two roads	During development of detailed plans			
	12	CTS	R, GP	Q	Design and construct streetscape improvements within the entire HD				
	13	CTS	R, GP	Q	Design and construct traffic calming measures on existing streets in HD				
	14	CTS	R, GP	Q	Design and construct roadway lighting within the viewshed of the HD				
	15	CTS	R, GP	Q	Implement noise abatement measures where the Project is expected to adversely effect the HD				
	16	CTS	R, GP	Q	Develop and implement a blasting/vibration plan	Complete prior to initiation of construction			

L - PHOENIX HILL HISTORIC DISTRICT									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, GP	Q	Develop a HPP, which shall develop a thematic context to assist with future nominations in the region	Prior to Preliminary Field Check Plans			-HPP Scope of Work developed. -Development of Immediate Needs initiated. -HPP public kickoff meeting convened on 11/23/04.
	2	CTS	R, GP	Q	Design and construct roadway lighting				
	3	CTS	R, GP	Q	Work with the owner to relocate the Baer Fabrics Company within the HD or a suitable facility within the Phoenix Hill neighborhood				
	4	CTS	R, GP	Q	Develop a treatment plan for rehabilitation of the Vermont American Buildings, explore options for reuse and rehabilitate the exterior of the building if recommended in the treatment plan				
	5	CTS	R, GP	Q	St. John's Church - Conduct a noise study for St. John's Church to determine whether interior noise abatement measures are justified	During development of detailed plans			
	6	CTS	R, GP	Q	Refuge in Kentucky Church - Conduct a noise study for Refuge in Kentucky Church to determine whether interior noise abatement measures are justified for the Church, Day Care Center and School	During development of detailed plans			
	7	CTS	R, GP	Q	Place interpretive signage within the HD				
	8	CTS	R, GP	Q	Streetscape improvements along Main Street and Market Street from Floyd Street to Clay Street and in the area under the I-65 Bridge				
	9	CTS	R, GP	Q	Develop and implement a blasting/vibration plan	Complete prior to initiation of construction			

M - COUNTRY ESTATES HISTORIC DISTRICT/RIVER ROAD CORRIDOR									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, GP	L	Develop a HPP, which shall specifically consider and develop recommendations for the following: Country Estates of River Road HD (including individually listed NRHP properties within the HD), James T. Taylor/James W. Chandler House, Merriwether House, Upper River Road Bridge over Harrods Creek, Harrods Creek Village HD, Schildnecht House, Determan House, Allison-Barrickman House, St. Francis in the Fields Church, Bellevue and Rosewell	Prior to Preliminary Field Check Plans			-HPP Scope of Work developed. -Development of Immediate Needs initiated. -HPP Public kickoff meeting to be scheduled in Spring 2005.
	2	CTS	R, GP	L	Design and construct proposed roadways, bridges and tunnels from I-71 to the OH River, taking into consideration the cultural landscapes that are important contributing elements to the HD				
	3	CTS	R, GP	L	Design and construct roadway lighting within the viewshed of the HD				
	4	CTS	R, GP	L	Implement noise abatement measures where the Project noise is expected to affect the listed and eligible properties				
	5	CTS	R, GP	L	Develop and implement a blasting/vibration plan	Complete prior to initiation of construction			
	6	CTS	R, GP	L	Define a "no-work zone" within the NRHP boundaries of the listed and eligible properties				

N - DRUMANARD									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, GP	L					
	2	CTS	R, GP	L	Acquire or establish a historic preservation easement for the entire Drumanard historic property				
	3	CTS	R, GP	L	Acquire property and place a historic preservation easement on property and transfer ownership to KYTC, who will sell the property to a preservation organization or other acceptable party or donate to a local government				
	4	CTS	R, GP	L	>Develop and implement a blasting/vibration plan >Monitor the historic buildings to preclude impacts due to blasting	>Complete prior to initiation of construction >During construction activities			

O - ALLISON-BARRICKMAN HOUSE									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, GP	L	Acquire a historic preservation easement for the Allison-Barrickman house on the track of land within the NRHP boundary and an easement on the property bounded by US 42, KY 841, the Allison-Barrickman property and Wolf Pen Branch Road				
	2	CTS	R, GP	L	Implement noise abatement measures				
	3	CTS	R, GP	L	Define a "no-work zone" within the NRHP boundary of the property				
	4	CTS	R, GP	L	Develop and implement a blasting/vibration plan	Complete prior to initiation of construction			

P - ROSEWELL									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, GP	L	Develop and implement a Treatment Plan to minimize damage to the property				
	2	CTS	R, GP	L	Acquire the property				
	3	CTS	R, GP	L	Place a preservation easement on the property and then sell to a local historic preservation organization or other acceptable party or donate to a local government	Immediately following acquisition			
	4	CTS	R, GP	L	Design and construct roadway lighting				
	5	CTS	R, GP	L	Implement noise mitigation				
	6	CTS	R, GP	L	Develop and implement a blasting/vibration plan	Complete prior to initiation of construction			
	7	CTS	R, GP	L	Define a "no-work zone" within the NRHP boundary of the property				

Q - BELLEVIEW									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	1	CTS	R, GP	L	Design Ohio River Bridge and embankment adjacent to the property taking into account the cultural landscape associated with this property				
	2	CTS	R, GP	L	Design and construct roadway lighting within the viewshed of Belleview				
	3	CTS	R, GP	L	Implement noise mitigation measures				
	4	CTS	R, GP	L	Develop and implement a blasting/vibration plan	Complete prior to initiation of construction			
	5	CTS	R, GP	L	Define a "no-work zone" within the NRHP boundary of the property				

KEY:
CTS - CTS-GEC R - Ratio Architects A - ASC Group
GP - Gray and Pape L - HW Lochner Q - QK4
IAP - Indiana Approach Partners BFS - Butler, Fairman and Seufert
NR - Not Required

STIPULATION NO. 4 - ARCHAEOLOGICAL RESOURCES									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	A	CTS	A, GP	NR	FHWA to complete identification and evaluation of archeological resources	Before construction in the APE or selecting sites for ancillary activities			Refer to Page 27 of the MOA. Colston Park remote sensing feasibility study completed in Sept. 2004.
	B	CTS	A, GP	NR	FHWA will examine all locations where ground-disturbing activities are proposed	None established			Refer to Page 28 and 29 of the MOA.
	C	CTS	A, GP	NR	FHWA shall evaluate NRHP eligibility for identified archaeological sites	None established			Refer to Page 29 of the MOA.
	D	CTS	A, GP	NR	FHWA shall assess effects of Project on eligible archaeological resources	None established			Refer to Page 30 of the MOA.
	E	CTS	R, A, GP	NR	FHWA development and implementation of treatment plans	Completed before construction on sites needing treatment			Refer to Page 30 and 31 of the MOA.
	F	CTS	A, GP	NR	FHWA shall ensure archaeological work is conducted by qualified person(s)	None established			Refer to Page 33 of the MOA.
	G	CTS	A, GP	NR	FHWA shall prepare copies of final reports for SHPO's, STA's Indian Tribes, public libraries and educational institutions	When appropriate			Refer to Page 33 and 34 of the MOA.

STIPULATION NO. 5 - UNANTICIPATED DISCOVERIES									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	A	CTS	NR	NR	KYTC or INDOT to ensure work stops when unanticipated discovery is made.	None established			Work shall cease until a treatment plan can be developed and implemented.
	B	CTS	NR	NR	FHWA to make all reasonable measures to avoid property until conclusion of consultation with SHPO, Indian Tribes and other appropriate parties.	None established			
	C	CTS	NR	NR	FHWA shall contact SHPO, Indian Tribes and other appropriate parties and provide written details of discovery.	None established			Notify within 48 hours of discovery
	D	CTS	NR	NR	INDOT or KYTC shall conduct an on-site evaluation of discovery to determine eligibility, effects and possible treatment measures.	None established			On-Site evaluation to occur within 48 hours (or earliest available opportunity) of discovery
	E	CTS	NR	NR	Develop appropriate Treatment Plan(s) for discovered historic property.	None established			Review to occur within seven days of receipt of proposed plan.
	F	CTS	NR	NR	Ground-disturbing work may commence at sites determined ineligible for NRHP.	None established			
	G	CTS	NR	NR	Parties shall invoke provisions for dispute resolution should consensus on eligibility not be reached.	None established			

STIPULATION NO. 6 - ADDITIONAL HISTORIC PROPERTIES AND EFFECTS									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	A	CTS	NR	NR	INDOT or KYTC shall consult with FHWA, SHPOs, Indiana Tribes and other parties to determine if other properties are historic in addition to those already identified.	Before approval of sites for staging, wetland mitigation, borrow or waste, dredge disposal, or other construction are approved.			
	B	CTS	NR	NR	Where historic properties are adversely effected, FHWA shall consult with INDOT and/or KYTC, SHPO, Indian Tribes and other appropriate parties to mitigate effects.	None established			
	C	CTS	NR	NR	Resolve disputes in accordance with Stipulation XIII.	None established			

STIPULATION NO. 7 - EXCESS RIGHT OF WAY									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	N/A	CTS	NR	NR	If Project should result in excess right-of-way to be disposed, the FHWA shall consult appropriate SHPO to determine whether the disposal or sale would have an adverse effect on historic properties	Throughout Project duration			

STIPULATION NO. 8 - PERFORMANCE STANDARDS									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	A	CTS	NR	NR	The FHWA shall ensure all cultural resources work carried out will be under direct supervision of individuals that meet the <i>Secretary of the Interior's Professional Qualification Standards</i>				Refer to Page 35 of MOA
	B	CTS	NR	NR	Historic preservation work shall be guided by most recent Federal and state guidelines				Refer to Page 35 and 36 of MOA

STIPULATION NO. 9 - PROGRESS REPORTS									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	A	CTS	NR	NR	Progress reports detailing implementation of the measures stipulated within the MOA and providing advanced notice of milestones.	Every six (6) months until all phases of the project are complete			

STIPULATION NO. 10 - PROJECT MODIFICATION									
Commit. Fulfilled?	Item	GEC Taskmaster	Sub Taskmaster	SDC	Description	MOA Deadline	Completion Date	Product	Remarks/Current Status
	N/A	CTS	NR	NR	If the Project is significantly modified and additional effects to historic properties are considered the FHWA will consult with the signatories to determine if the MOA should be amended	Throughout the duration of the Project			

KEY:
CTS - CTS-GEC R - Ratio Architects A - ASC Group
GP - Gray and Pape NR - Not Required (Referring to Direct Involvement in Fulfilling MOA Commitment)
NR - Not Required